

Minutes
SOLID WASTE MANAGEMENT PROGRAM TASK FORCE
March 29, 2005 7:00 - 10:00 p.m.
Group Decision Support Center, Pennino Building

Approved 4-12-04

Members Present: Joyce Bissonette, Marilyn Blois, Clark Tyler, Sheila Roit, William Lecos, Joan Carr, John Hasel, Joyce Doughty, Conrad Mehan, Paul Liberty, Phil Auld, Queenie Cox

Member Absent: Jim Langemeier, Robin Smyers, Joanne McCoy

Facilitator: JR Holt, JRH Associates, Inc.

Guests: Larry Edwards

County staff: Jeff Smithberger, Marilyn McHugh, Catherine Lunsford, Linda Boone, Pamela Gratton

The Chairman called the meeting to order at 7:03, when a quorum was present. There was a change to the minutes of the March 15 meeting. On page 1 in the Discussion paragraph, a change is needed to the sentence so that it reads, "Moreover, if the collection of yard waste was tailored to the users of the services, then collection companies could cut back on routes and reduce air emissions." The minutes were approved as amended.

The Chairman opened the floor for a general discussion of the primary issue of the evening and that is the topic concerning the consequences of the county getting out of the direct collection of solid waste in sanitary districts.

Q: Several members wanted to hear what county staff sees as its role in solid waste collection over time.

A: Staff responded that the county's role during the next 20 years is already envisioned and stated in the Solid Waste Management Plan. County residents can continue to petition to form sanitary districts, which positions the county as a "waste collector of last resort" for the future. The county plans to continue to contract for collection or recycling services in the sanitary districts if the workload is beyond the capacity of county employees to handle.

Q: Is there an approach such as the federal A76 approach to evaluating the kinds of services the government should provide and what could be contracted to private companies?

A: County staff replied that the county calls this approach managed competition. We have not taken that approach in dealing with solid waste. County staff tries to ensure that the rates paid on its contracts are competitive. The county system is not growing very rapidly, sanitary districts are approved only after completing a process that culminates in a public hearing. Most of the growth in sanitary districts is due to in-fill building. The county has a lead role in coordinating cleanup of debris following emergency and weather events because the county has specialized equipment for lifting heavy limbs and other materials. The county will continue to operate the disposal facilities in the county and have responsibility for countywide recycling public education.

Q: Are there enough private haulers to meet the challenge and serve the entire county if the county got out of direct waste collection?

A: According to the collectors, if the need arose, there are enough private companies to serve customers throughout the county because there is money to be made.

Q: Does the county want to serve as backup for emergencies situations involving collection companies?

A: Yes, the county could be a backup for emergencies and can provide temporary collection services to private customers should a collector have a problem or go out of business.

If there are enough private collection companies to do the work, is it worthwhile to have the county expend resources just to be a periodic backup for weather emergencies or when a private collector goes out of business?

Q: How does the county purchase equipment?

A: The county program has an equipment reserve to ensure we budget for replacements and upgrades to equipment. County collection staff bought 5 new trucks this year and those will need to be replaced in 8 years.

Q: What are the near term cost projections for the cost of county services to homeowners in sanitary districts?

A: The cost in FY2005 is \$240 and will increase to \$270 next year. The price may increase another \$30 in FY2007, given that gasoline prices are rising. Vacuum leaf collection is paid separately by about 19,000 of the 42,000 sanitary district customers, based on the *ad valorem* value of the home.

One of the issues the task force has championed during its work on this project has been maximizing choice for residents and allowing the free market system to flourish. With the sanitary districts, an individual customer cannot opt out of the service. Ease of choice is an important feature of good customer service. Homeowner associations do not allow individual owners to opt out of the community trash contracts either. Ours is not a perfect system, but the mix of public and private collection seems to work well in this county.

Some task force members noted that most residents in the sanitary districts were not involved in the creation of the sanitary districts, but “inherited” that status when they bought homes that were located in the sanitary districts and have simply continued service. If residents want to petition to decerate a sanitary district, they can do so by following the same process as to create one.

A member asked to clarify the topic under discussion, should the county consider privatizing its current work or should the county get out of the business altogether? The discussion later in the meeting will focus on addressing the various positive and negative consequences of the county getting out of the residential waste collection business.

A task force member reminded others that the County-provided collection services are paid for totally by customers receiving the services and no money from the General Fund is used for collection services. That should be listed as a positive consequence.

Line 980 – Mr. Tyler moved and Mr. Hasle seconded a motion to add, “Particular attention was given to the impact of county regulations as barriers for private companies to enter into the marketplace or restrictions on competition within the marketplace. The consensus of the task force was that none of these items either singly or collectively presented a barrier to entry, particularly for small businesses.” The motion passed unanimously.

Line 982 -- Ms. Blois moved and Mr. Lecos seconded the motion to remove the sentence beginning at line 982 in its entirety. The motion passed unanimously.

Line 993 – Ms. Blois asked that the precise citation be given when referencing Chapter 109, Code of Fairfax.

Line 994 -- Mr. Clark presented a motion and Mr. Hasle seconded it to add the words following be permitted "by the county, bonded, and inspected annually." The motion passed unanimously.

Line 998 -- Mr. Hasle moved and Ms. Blois seconded a motion to delete the words "while on county property." It passed unanimously.

Line 1011 -- Mr. Lecos moved and Mr. Hasle seconded a motion to delete the last sentence of the paragraph. It passed unanimously.

Line 1046 -- Mr. Clark offered a motion to add the dates the program would begin. Ms. Blois seconded the motion and it was approved unanimously. A new sentence will be added that reads, "Voluntary participation in curbside collection of the new materials begins July 1, 2005 with mandatory participation starting January 1, 2006."

Line 1062 -- Ms. Doughty moved and Ms. Bissonette seconded to delete the paragraph. The motion carried unanimously.

Line 1074 -- Ms. Blois moved and Ms. Carr seconded the motion to delete the words, "if the county has funding for advertising." It passed unanimously.

Line 1078 -- Mr. Lecos moved and Ms. Carr seconded a motion to add after recycling facilities, the words "within the county." It passed unanimously. Mr. Mehan moved and Mr. Hasle seconded a motion to also add the words, "including yard waste composting sites,..." The motion carried unanimously. Mr. Auld moved and Mr. Clark seconded adding a sentence that reads, "The county should explore the use of public-private partnerships and incentives to achieve this objective." Ms. Carr moved and Ms. Bissonette seconded approval of the whole paragraph. It passed unanimously.

Line 1091 -- Ms. Cox moved and Mr. Lecos seconded a motion to delete "and collection companies", which passed unanimously.

Line 1106 -- correct the second "or" to read "of."

Line 1109 -- Mr. Lecos moved and Mr. Mehan seconded a motion to add a sentence that reads, "County staff should explore administrative remedies that would allow the more efficient enforcement of Code of Fairfax, Chapter 109 provisions." It passed unanimously.

Line 1111 -- an administrative suggestion was made to change "the list" to read "a list."

As part of the discussion during this time, the task force members agreed that if private collection companies could subscribe to the quality customer service standards and have their names listed on the county's website, and also have their names listed for frequent violations, then the county collection program in the sanitary districts should be able to subscribe to the quality standards and have its name listed for frequent violations. County staff agreed to sign the quality standards and reported they already provided that level of customer service.

Following the discussion, Mr. Hasle moved and Mr. Lecos seconded adding "and the Division of Solid Waste Collection and Recycling program to adopt the standards as charter members,..." to the current line 817 of the SWTF Report. There was a dissenting vote.

Further discussion began about how to deal with the topic of the consequences of the county getting out of direct waste collection. There are various consequences of the county getting out or continuing to be a residential waste collector in the sanitary districts. There are many

perspectives to consider in terms of where the positive or negative aspects accrue. The task force did not want to include the detailed analysis in the report that was used to discuss the topic during its meetings. The detailed work will be included in the appendices to the report.

Line 1118 – Mr. Lecos moved and Ms. Carr seconded a motion to change the sentence to read, “Given that the county currently provides direct waste collection services to about 15 % of county residences, county staff has been asked by the a member of the Board of Supervisors to investigate the consequences of the county getting our of direct waste collection.” It passed unanimously.

Mr. Lecos added another motion and Mr. Mehan seconded it to add language, “Once the county has created a sanitary district to provide solid waste collection, the option for the county to unilaterally discontinue that service without a petition from the citizens to decerate the district does not exist. Therefore, without a change in state laws, the only option is for the county to continue direct service or to administer a contract for service.” It passed unanimously

Line 1126 – Mr. Tyler moved and Mr. Lecos seconded a motion to add another sentence in the paragraph that draws attention to additional economic analysis showing the county programs are self sufficient and do not receive money from the General Fund for collection operations. Further, the motion adds a sentence that reads, “The economic consequences of the county getting out of direct collection were analyzed. It was noted that fees paid by county customers cover the total cost of the county collection services. These fees are paid only by those residents who receive the services. Therefore, the task force recognized that there would be no impact on the county’s General Fund were the county to end direct waste collection.” The motion passed unanimously.

Line 1127 – Mr. Lecos moved and Ms. Carr seconded a motion to add another sentence to the rewritten paragraph that states, “A detailed summary of that discussion is included in the Appendix in the meeting minutes from the November 30 and December 14, 2004 meetings.” It passed unanimously.

Line 1128 – Mr. Lecos moved and Ms. Bissonette seconded the motion changing the subtitles to read, “Positive Consequences of the County Getting Out of Direct Waste Collection and Negative Consequences of the County Getting out of Direct Waste Collection.” Also, the positive benefits and negative aspects from all perspectives would be pulled into this section, then the task force will edit the benefits and negatives to fit the revised subtitles. It passed unanimously.

A map of the sanitary districts will be included in the Appendix and reference in the text.

Line 1131-- Ms. Doughty moved and Mr. Mehan seconded to delete the sentence. It passed unanimously.

Line 1132 – Mr. Hasle moved and Ms. Doughty seconded the motion to delete the benefit. It passed unanimously.

Line 1151 – Mr. Hasle moved and Ms. Doughty seconded the motion to delete the benefit. It passed with one opposed.

The suggestion to look at positive and negative consequences was started but that approach did not work for many issues. In this topic it is important to define the County’s role in residential waste collection not just list pros and cons. If the county merely gets out of the direct collection service and transfers services to a contractor, then there would be no material differences since the county would oversee the contracts and services. The task force looked further into whether the county should get out of direct waste collection all together.

The county has a strong role in emergency services during weather and other events. That should not change.

The county could contract out all the services in a sanitary district.

Mr. Lecos moved and Mr. Mehan seconded a motion to ask the Review/Writing Team to rewrite this topic and include the following ideas:

- There is probably not an option to end a sanitary district without a similar petition and public hearing process.
- A change in state law would be needed to end the petition process to establish sanitary districts, since they have other uses besides waste collection.
- Therefore without a change to the state law, the county's only options are to provide the service directly or contract for the services. The motion passed unanimously.

Mr. Lecos and Ms. Blois and Mr. Mehan seconded a motion to delete the remaining lines through 1198. It passed unanimously.

Line 1198 -- Ms. Doughty moved and Mr. Lecos seconded a motion to change the sentence to read, "...county's role in sanitary district waste collection operations." It passed unanimously.

Line 1199 – an administrative change is made to note there are Four not Five models to consider in the analysis.

Line 1211 -- Ms. Carr made a motion and Mr. Lecos and Ms. Bissonette seconded it to delete the last model described in lines 1211-1212. The motion passed unanimously.

Line 1203 – Ms. Doughty moved and Mr. Tyler seconded a motion to change the wording to read, "Maintaining the status quo in the sanitary districts." It passed unanimously.

Line 1213 – A motion from Mr. Mehan had been made when the meeting ended. The motion adds a recommendation that reads, "The task force recommends that county staff conducts a feasibility study to determine if the county should contract all or part of its services in the sanitary district." The motion was awaiting a second.

The County Attorney offered that there is another type of legal district that the county can create on its own called a service district. One of the services that can be provided in a service district is trash collection. This is the concept that would work if the 5-year notice was given that the county wanted to provide all residential collection services in the county.

The task force will continue its discussions of the last 2 operations topics during its meeting on April 12. The chairman asked members to put their thoughts on paper about these last two important issues. Also he asked the members to consider whether there were other unresolved issues to discuss. A good final draft of the report will be available at the April 12 meeting because the Review/Writing Team is working on April 6 at the Chamber of Commerce Offices at 3:00 pm to finalize the organization, layout and presentation of the report.

The meeting adjourned at 10:04 pm.

NEXT MEETING: April 12, 2005 at 7:00 pm in the Group Decision Support Center

SOLID WASTE MANAGEMENT

TASK FORCE

REPORT FROM MARCH 29TH MEETING

Tuesday, March 29, 2005

SWMTF DRAFT REPORT Chapter 5: Operations 3

SWMTF DRAFT REPORT

Chapter 5 Operations

Overview of Operations Issues

976

Operations issues cover a broad range of topics dealing with how collection services are provided in the county. The topics run the full gamut of operational matters from

how collection vehicles are permitted to the continuing role of the county as a waste collector, from the county's role in enforcement of county code to the contracting process for county collection services. As with previous discussions, the task force researched ideas, met with collectors, and identified strategies for improving waste collection operations in the county. Then the task force members spent two meetings discussing their findings while using the Group Decision Support Center software to arrive at consensus on the various topics.

PASSED Line 980 after Collection Services.

MOVE: Clark Second: John H

Particular attention was given to the impact of county regulations not being barriers to entry into the marketplace or restricting competition within the marketplace. The consensus was that none of these items either singly or collectively represented a barrier to entry particularly for small businesses.

PASSED Line 982

MOVE: Marilyn Second: Bill

Remove the whole sentence

984

The following discussion and recommendations are the result of extensive conversations and analysis completed by the task force to determine how residential waste collection operations should be conducted in the future. One of the biggest benefits of this analysis, beyond the findings of fact, is the increased awareness of all the stakeholders about how complex the integrated waste management system is in Fairfax County and how we need all the stakeholders doing their part to keep it operating effectively in the future.

Inspections and Permitting of Vehicles (O-1)

993

Discussion. Code of Fairfax, Chapter 109 requires that all collectors operating in Fairfax County be permitted by the county and bonded. The discussion concerned the nature of the inspections performed by County staff and whether the process involved with permitting a waste collection vehicle was onerous to the collection companies. The purpose of the permit process is to provide proper identification of the collection vehicles for tracking and billing purposes and to have an inspection of the vehicle to ensure safety of operations while on county property.

ADMIN

Line 993

MOVE: Marilyn Second:

Reference the section numbers when referencing the Code.

PASSED

LINE 994

move: Clark Second: John

"be permitted by the County, bonded and inspected annually"

PASSED

LINE 998

MOVE: John **Second:** Marilyn

Delete from "while" to the end of the sentence.

1001

The task force agreed that the permitting process is necessary for the County to manage the disposal process, account for waste disposed, and bill companies for using the disposal facilities. The permitting requirements support the county's billing and information management needs and are not difficult for collection companies to meet. The cost of permitting of collection vehicles (\$80 per truck), including the required bonding, is simply a cost of doing business for the collection companies.

1008

A collection company representative stated that the county's permit office should be available throughout the day to process truck inspections and permits. County staff agreed that arrangements are in place to have the permit office fully staffed during the two months of permitting to reduce wait times. No additional recommendations are needed at this time concerning permitting of collection companies.

PASSED

LINE 1011

Move: Bill **Second:** John

Remove the last sentence: "No additional....."

Assurance Bond Policy (O-2)

1015

Discussion. Code of Fairfax, Chapter 109 requires a bond be posted for each waste collection truck to ensure that the disposal bills from the county for that truck can be paid, or if necessary, the county can have money to pay for collection of the waste from customers should the collection company be unable to provide the service. The task force's discussion considered the process of obtaining the county-required \$10,000 bond per vehicle. Bonds are issued by private companies and the county cannot influence the cost charged or the process involved to obtain a bond. The bond cost is based upon several factors including the credit history and stability of the collection company, the potential risk exposure to the bonding company, and trends in the overall waste industry. Risk and credit worthiness are significant factors in granting a bond to a collection company. Recently some bonding companies have elected to raise their fees due to waste industry consolidations and risk exposure they have experienced throughout their business.

1028

If a collector cannot obtain a bond, the County already accepts alternative financial instruments in lieu of a bond to provide the needed measure of financial security. The County also allows payment schedules for companies that may have temporary cash flow problems. The task force considered the cost of obtaining a bond to be reasonable at between \$100 and \$200 for a \$10,000 bond. The current permitting and bond process appears to be working well and the task force identified no need for changes.

Unified Recycling Activities (O-3)

1036

Discussion. The task force members are very supportive of developing a unified recycling message for all collectors to give to their curbside collection customers. It was agreed that the County has the resources and general mission to educate the public on countywide recycling activities. Therefore the county should develop appropriate materials about how to recycle and what materials can be recycled and offer those materials to collection companies for distribution to their customers. The collection companies could then personalize the materials with their names and logos and distribute the printed information to their customers.

1045

The county plans to expand curbside collection of recyclables to include mixed paper, cardboard, and plastic bottles. This expansion of the recycling program to add new materials was adopted by the Board of Supervisors in the Solid Waste Management Plan (SWMP). This enhanced recycling program will offer the opportunity for county residents to do most of their recycling curbside.

PASSED

MOVE: Clark **Second:** Marilyn

Add: Date for expanded curbside collection: Voluntary by July 1 2005, mandatory Jan 1, 2006

1051

A concern was noted from a collection company representative about ensuring there are markets for the additional materials to be recycled. Also work is needed to identify state and federal incentives for companies who want to become recyclers in the area. The increase in recyclable materials may result in opportunities to add new businesses in the county. Recyclers that were contacted by task force members indicated they are adding capacity in anticipation of the enhanced recycling program adopted as part of the SWMP. Other local jurisdictions are already requiring the materials (cardboard, mixed paper and plastic bottles) that Fairfax County is now adding. It is the opinion of county staff that finding markets for the additional materials will not be difficult, since recyclers are already marketing these materials.

1062

While a digression from the main topic, the task force members advocate increased business recycling. The task force is supportive of the Environmental Quality Advisory Council's (EQAC) new recommended thresholds for required business recycling. The EQAC recommended limits for mandatory recycling are businesses that have 100 employees per building or more than 50 tons of waste generated annually.

PASSED

LINE 1062 - 65: support for EQAC recommendation

Move: Joyce D **Second:** John H

Remove entire paragraph

Recommendations (O-3)

1068

O-3-1. The county should develop enhanced recycling educational materials using various media to illustrate unified recycling countywide. Materials will include source reduction and reuse, what to recycle, how to recycle items correctly, and how to purchase recycled products to close the loop. Information should be provided to the collectors in a camera-ready format, suitable for companies to add their names and logos prior to distributing to their customers. The standardized materials should be in multiple languages and advertised within the various language media, if the county has funding for advertising.

PASSED

LINE 1074:

MOVE: Marilyn **Second:** Joan

remove "if the county has funding for advertising."

1075

O-3-2. The campaign to introduce additional recycling materials for curbside collection should be done all at once instead of one material at a time. It is easier to educate the public about all the new changes at one time rather than piecemeal the new requirements.

1078

O-3-3. The County should support the siting of new recycling facilities as needed to handle the increased amounts of recyclable materials generated in the county.

PASSED

LINE 1078

Move: Bill Second: Joan

Add "within the county" -- after recycling facilities

PASSED

LINE 1078

Move: Conrad Second: John

"within the county, including yard waste and composting sites,

PASSED

LINE 1079

Move: Phil Second: Clark

Add: "The county should explore the use of public/private partnerships and incentives to achieve this objective."

PASSED

Move Joan Second John B

Approve section O-03 as amended

Enforcement Issues (O-4)

1083

Discussion. Code of Fairfax, Chapter 109 authorizes the county's Division of Solid Waste to enforce its provisions. However, there needs to be "teeth" (i.e., significant penalties) in the enforcement to obtain better compliance with some of the provisions of the chapter. Obviously, the county does not want to become the "trash police". There should be ways to cite collectors without using the onerous magistrate process currently required to enforce Chapter 109-perhaps some administrative sanctions would be effective.

PASSED

Move: Queenie Second: Bill

LINE 1091--delete "and collection companies"...the collection companies are a part of the task force...

1092

The county should devise sanctions to deal with collection companies who are not complying with the code. The task force and collection companies have indicated they want violators of the code to be dealt with effectively (maybe even publicly) so that collection companies who comply with the code are acknowledged.

1095

The task force noted that many of the "compliance" issues under the county code may be rectified if most collectors subscribe to the quality customer service standards developed as part of this task force's work. Many service questions or "non-compliance" incidents revolve around communication and expectations between collection companies and their customers. Most of the issues the task force has analyzed are not true code enforcement situations but rather derive from the contractual relationship between customers and collectors.

1101

collectors. In the best situation, the County cannot enforce the code beyond the minimum levels of service described in the code. The quality customer service standards are an attempt to describe service provision beyond the "minimum levels" and address communication and expectations between collection companies and their customers. If customers receive poor service, they can change collection companies-that is the ultimate remedy or enforcement for violations or customer service issues.

CORRECTION

Line 1105/6: remedy or enforcement for violations OF customer service issues.

Recommendations (O-4)

1109

O-4-1. County staff should investigate if there are administrative or other sanctions that can be developed that would allow the solid waste program to enforce Chapter 109 provisions.

PASSED

Move: Bill Second: Conrad

LINE 1109

The county staff should explore administrative remedies that would allow the more efficient enforcement of Chapter 109 provisions.

1111

O-4-2. County staff should consider publishing the listing of collection companies who receive violations, much like the Health Department publicizes lists of health code violations. This way companies not receiving violations could market their compliance with the code.

ADMINISTRATIVE

LINE 1111

Change to "a list"

PASSED

LINE 817

move: John Second: Bill

The task force encourages the county solid waste collection department to endorse the Quality Customer Service Code as a charter member.

Consequences of the County Getting Out of Direct Waste Collection (O-5)

1118

Discussion. County staff had been asked by a member of the Board of Supervisors to investigate the consequences of the county getting out of direct waste collection. The task force also included this topic in its extensive discussions of residential solid waste operations in the county. Since the waste system is very complex, the task force decided to consider the positive and negative consequences of the County getting out of direct waste collection from the perspectives of county residents, private collection companies and the county's Solid Waste Management Program. This thorough analysis yielded significant insights for task force members as they realized the value that each of the three perspectives added to the overall discussion.

PASSED

Move: Bill Second: Conrad

Once the county has created a sanitary district to provide solid waste collection, the option for the county to unilaterally discontinue that service without a petition from the citizens to decrease the district does not exist. Therefore, without a change in the state law, the only options are for the county to continue direct service or to administer a contract for service.

PASSED

MOVE: Conrad Second: Bill

Add to Line 1118: ... getting out of direct waste collection and bidding out service for existing districts to private haulers.

PASSED

MOVE: Bill Second: Joan

Add to end of para 1118: A detailed summary of that discussion is included in the Appendix in the meeting minutes for November and December....

PASSED

Move: Bill Second: Joan

Add at beginning of 1128: Given that the county currently provides direct waste collection to 15% of the county residences, county staff was asked by a member of the Board of Supervisors to investigate the consequences.....

PASSED

Move: Clark Second: Bill

ADD new paragraph at line 1126:

The economic consequences of the county getting out of direct collection was also analyzed. It was noted that fees paid by county customers cover the total cost of the county's collection services, noting that these fees are paid only by those residents receiving those county services. Therefore, the task force recognized that there would be no impact on the county's general fund were the county to end direct waste collection.

PASSED

MOVE: Bill Second: Joyce B

LINE 1128 header: POSITIVE CONSEQUENCES OF THE COUNTY GETTING OUT OF DIRECT WASTE COLLECTION

Add 1131, 1132, 1151, 1154, 1156, 1158, 1161, 1163, 1182, 1185,

ADD HEADER 1134: NEGATIVE CONSEQUENCES OF THE COUNTY GETTING OUT OF DIRECT WASTE COLLECTION

Add: 1137, 1138, etc.

PASSED

Move: Conrad Second: Sheila

Delete lines 1128 - 1196.

POSITIVE CONSEQUENCES OF THE COUNTY GETTING OUT OF DIRECT WASTE COLLECTION

DELETE : 1129

There are a couple of positive benefits identified for residents, if the county was no longer in solid waste collection.

1131

-- All county residents would have a choice of service provider and service levels.

PASSED

Move: Joyce D Second: Conrad

DELETE 1131

1132

-- Residents could control their budgets because they could choose how much to pay for waste collection services.

YELLOW STICKIE: [Recommend deleting 1132 because it is not an accurate statement considering statements throughout the recommendation that allude to the fact that private haulers do not provide the same level of service as the County.]

DELETE 1132

move: John Second: Joyce B

1151

-- Their potential customer base would increase by the 40,000 households currently served by the county in sanitary districts; this would be for trash collection only since the collection of recyclables is already privatized.

PASSED

DELETE 1151

Move Joyce D Second: John

1154

-- More potential customers would translate into a better revenue stream for private collectors.

1156

-- Private collection companies would lose a competitor who has about 15% of the market in the county.

1158

-- Private collection companies who got most of these customers could operate more efficiently due to more densely populated areas comprised by the former sanitary districts.

1161

-- If the county were out of the business, perhaps new collection companies could start up operations easier by serving a concentrated area of homes.

1163

-- New or current collection companies might be attracted or retained in the market if there were less potential for their business to be lost through a sanitary district process.

1182

-- Fairfax County would realize an increased tax base because of Business Professional Occupational License (BPOL), property and other taxes from new or expanded private collection companies.

1185

-- The county Solid Waste Program could redefine and focus on its roles in emergency waste coordination, code enforcement, regulatory activities, disposal facility improvements, consumer education/awareness, and expansion of recycling.

NEGATIVE CONSEQUENCES OF THE COUNTY GETTING OUT OF DIRECT WASTE COLLECTION

1135

Several negative aspects would result for residents, if the county was no longer a solid waste collector.

1137

-- There would be one less provider to offer collection services in the county.

1138

-- Some residents would lose their selected service provider (because residents have a fairly complex process to traverse in order to become a sanitary district or they moved into the house because it was in an existing sanitary district)

1141

-- The county program serves as a benchmark for private collection companies, so if the county were no longer in the business, costs for residents could increase and service levels could decrease.

1144

-- County collection within sanitary districts provide extra services that would probably cost extra with a private collection company as "specials" at no additional cost.

1146

-- The collection companies that moved into the sanitary districts after the county staff left would be expected to provide the same services as the County had provided.

1169

-- If the county is out of the collection business but still regulating the industry, county staff may lose operational perspective and potentially over-regulate the private collectors. There is a difference when government is involved in an industry being regulated and when they are not involved. After a period of time, the regulatory body may no longer have an operational perspective on collection issues.

1174

-- Private collectors would be forced to expand to serve the 40,000 customers formerly in sanitary districts and that could cause a drain on capital.

1176

-- Likely the larger collection companies would have the capital readily available to be able to expand their service areas and further disadvantage smaller collection companies.

1191

-- If the county ends its collection operations, there is the potential for up to 130 county employees to lose jobs.

1193

-- Once staff and equipment are gone, the county could not react rapidly to emergency situations requiring waste removal using their own equipment.

1196

-- The choice for dissatisfied customers would be limited to only private collection companies-there would no longer be county service.

Positive Benefits to Private Collection Companies

Negative Aspects for Private Collection Companies

Positive Benefits to the County

CONCLUSIONS

1198

The task force considered several recommendations about the county's role in residential waste collection operations. Five models were specifically explored and evaluated to see what, if any, potential benefits of the models there were. Future residential waste collection system could become a combination of the current system or fundamentally changed, depending upon which model is selected. The five models center around:

PASSED

Move: Joyce D Second: Bill

Change 1198: county's role in sanitary district

1203

-- Maintaining the status quo with a mix of county provided and private collection services in residential areas.

1205

-- Maintaining the sanitary districts but contracting all the collection services with private collection companies.

1207

-- Maintaining the sanitary districts but have private collections companies collect trash/recyclables and have the county continue brush and yard waste collection.

1209

-- Maintaining the current number of sanitary districts without increasing the size of the districts or adding any new customers.

1211

-- Completely privatizing the marketplace with the county getting out of operations entirely.

1212

Further analysis of the five models was not completed due to time constraints.

PASSED

Move: Joan Second: Bill

DELETE Line 1211:

PASSED

Move: Joyce D Second: Clark

Change 1203:

Maintain the status quo in sanitary districts.

ADMIN EDIT: Change 5 to 4 options

PASSED

Move: Joan Second Joyce B

DELETE 1212

MOTION ON THE FLOOR AT END OF MEETING

Move: Conrad Second:

The task force recommends that county staff conduct a study further evaluate these models.

NOT CONSIDERED: Procurement of County Contracts Process (O-6)

1217

Discussion. State procurement regulations determine the policies and procedures that the county uses in soliciting goods and services. Periodically, unusually every 5 years, the county issues a solicitation asking private collection companies to submit proposals to collect recyclable materials or trash in the legally designated county sanitary districts.

1222

A few task force members think the existing county's procurement process may disadvantage some collection companies because a small company may not be able to provide collection services over all the sanitary districts, but could provide excellent services in a smaller area. However, it was pointed out that the same procurement process is used countywide for all contracts and that small business and minority - owned business "set-asides" are not allowed in Virginia.

1229

The idea was proposed and discussed about carving up the sanitary districts into smaller areas that could be individually bid. County staff explained that because of the sanitary district process, the county has little time to arrange for services once a sanitary district is approved by the Board of Supervisors. For example, the

latest district was approved in October for services to begin in January, 2005. There is not sufficient time to competitively solicit each sanitary district and the cost of preparing a separate solicitation for each sanitary district will be expensive, not to mention the administrative costs of monitoring several varying contracts.

1238

One member asked if the task force could recommend developing a threshold for the number of new customers or set other parameters that when met would require that a new collection solicitation to be issued for that sanitary district. For example, if a block of 200 customers were expected to be added in a new sanitary district, the county could prepare a solicitation for that sanitary district and have it ready to publish as soon as the Board of Supervisors approved the creation of the sanitary district. If 200 new customers were added to various sanitary districts throughout the county, it would not make sense to have a new solicitation, but the additional customers would simply be added to the existing contract for the appropriate sanitary districts.

Recommendation (O-6)

Recommendation. This issue was moved to the Parking Lot and will be addressed in conjunction with the issue of the county's role in residential waste collection.